REMARKS

Applicant respectfully requests reconsideration of this application in view of the following remarks and the above amendments. This response is believed to fully address all issues raised in the Office Action mailed May 7, 2007. Furthermore, no new matter is believed to have been introduced hereby.

Claims 1, 6, 11, and 17 have been amended as detailed above and claims 1-21 remain pending in the present application.

35 USC §§102 and 103 Rejection of the Claims

Claims 6-10 and 11-16 were rejected under 35 USC § 102(e) as being anticipated by Leonard et al. (U.S. Patent No. 6,721,784). Claims 1-5 and 17-21 were rejected under 35 USC § 103(a) as being un-patentable over Leonard et al. (U.S. Patent No. 6,721,784) in view of Marvit et al. (U.S. Patent No. 6,625,734).

Each of these rejections is respectfully traversed. For example, the outstanding rejections over Leonard are respectfully traversed because Leonard at least fails to teach encryption of a message in the claimed manner, such as set forth in the independent claims.

Without limiting the scope of embodiments of the invention, only in an effort to impart precision to the claims (e.g., by more particularly pointing out embodiments of the invention, rather than to avoid prior art), and merely to expedite the prosecution of the present application, Applicant has amended all pending independent claims as detailed above.

More particularly, in rejecting the encryption/decryption engine element of claim 6, the Office relies on column 21, lines10-52, of Leonard. However, this portion of Leonard appears to directly contradict the claimed language. For example, column 21, lines state that:

> In a still further variation of the first preferred embodiment of, the invention, illustrated in FIG. 7, the principle of local storage of the encrypted message is extended still further by eliminating the encryption function of the central electronic mail server **20**, and instead having the message origination software 2 encrypt the message with the recipient's public key. In that case, server **20** serves only to supply the viewer applet.

In other words, Leonard appears to only discuss utilizing the mail server or the origination software 2 (at its sender rather than recipient) to encrypt the message. This is very

different than the claimed combination of features of claim 6, which in part indicates that electronic mail confidentiality preserver of a recipient email client comprises the encryption/decryption engine.

Additionally, Leonard, e.g., in Fig. 7 and the cited section by the Office at column 16, lines 55-67 (reproduced below for the Examiner's ease of reference), indicates that a public key is to be transmitted from the recipient to the sender to allow the sender to encrypt the message at the sender.

> In order to encrypt the message in a form that can only be read by the viewer applet, some sort of key exchange between the viewer applet 4 and the server 1 is necessary. In the preferred embodiment of the invention, this is accomplished by having the viewer applet generate a private/public key pair and sending the public key to the server so that the server can encrypt the message by the public key of the recipient's viewer applet, the encrypted message therefore being readable only by the viewer using the viewer's private key. A new public private key pair could be generated for each session, or the public key of the recipient could be stored by the server for retrieval each time a message addressed to the recipient is received. While generation of

As can readily be seen, this approach is simply not necessary in the embodiment claimed by claim 6, in part, because the encryption/decryption are performed by the recipient email client. Hence, the claimed combination of features of claim 6 can not be anticipated by the very different approach discussed by Leonard.

To this end, the Office is respectfully reminded of the requirements of MPEP §2131 that states a "claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference" (citing Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). Contrarily to this requirement, Leonard simply teaches away from the claimed combination of features rather than anticipate them, e.g., since the encryption/decryption are performed by distinguishing elements.

The remaining independent claims include similar distinguishing recitations (though not identical) as claim 6 and should be allowable for at least similar reasons. Accordingly, all pending independent claims are in condition for allowance.

Also, all pending dependent claims should be allowable for at least similar reasons as their respective independent claims, as well as additional or alternative elements that are recited therein but not shown in the cited prior art.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (720-840-6740) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-4238.

Respectfully submitted,

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